

ROOP LAW OFFICE, LC

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March 23, 2022

Betsy Jividen, Commissioner
Division of Corrections and Rehabilitation
Building 84
1409 Greenbrier Street,
Charleston, WV 25311

via certified mail return receipt requested
70162140000025018081

Attorney General Patrick Morrissey
State Capitol Complex, Bldg. 1, Rm E-26
1900 Kanawha Blvd. E
Charleston, WV 25305

via certified mail return receipt requested
70162140000025018098

RE: Our client – Estate of Richard Jason Wriston
Date of Incident – March 13 or 14, 2022

Dear Commissioner Jividen and Attorney General Morrissey:

I represent the estate of Richard Jason Wriston [the “decedent”] who died or about Monday, March 14, 2022, as a result of an incident at the Southern Regional Jail [“SRJ”].

Please consider this a notice of the claim pursuant to W.Va. Code §55-17-3.

I am also writing to demand that all evidence relevant to the incident involving Mr. Wriston be preserved pending investigation and possible litigation.

You must preserve all evidence of any type relating to the incident. This includes:

- Intake records for the period from March 12, 2022 through March 13, 2022
- Medical/mental health records related to the decedent from his intake until he was transported to a medical facility
- All records generated or referenced in any investigation by you of the incident involving the decedent
- Inmate requests, complaints and grievances pertaining to the decedent
- Any incident reports or other records pertaining to any inmate involved in any manner with the injuries requiring the decedent to be transported to a medical facility
- Inmate requests, complaints and grievances pertaining to any employee of SRJ who was in any manner involved in the intake, supervision, first aid or evacuation of the decedent to a medical facility

Betsy Jividen/Patrick Morrissey
March 23, 2022
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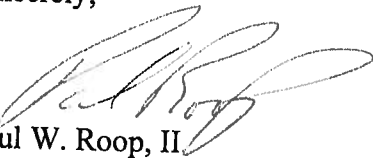
- Personnel files for any employee of SRJ who was in any manner involved in the intake, supervision, first aid or evacuation of the decedent to a medical facility
- Inmate cell assignments in the pod and section in which the decedent was injured
- Recordings and records of phone calls and other electronic communications by the decedent
- Recordings and records of phone calls and other electronic communications by any employee of the SRJ regarding the decedent including but not limited to calls to Raleigh County EOC or any medical provider
- Inspection notes of the decedent or the decedent's cell while the decedent was an inmate at the SRJ.
- Logs documenting rounds made
- Daily activity logs
- Feed logs
- Identification of inmates located in the same pod and section as the decedent
- All jail video and audio records depicting the decedent, the decedent's cell, any persons entering the decedent's cell, and any video depicting the decedent or anyone suspected of being involved in causing injury to or death of the decedent
- All statements of witnesses to the incident
- All handwritten notes related to the incident

Please do not dispose of any of this material.

We anticipate that the evidence described above will be both discoverable and admissible in any litigation that may arise out of the decedent's death. Your failure to preserve this material will result in a request for a spoliation instruction at any trial in this matter and could give rise to a separate claim for relief.

If you are unable to comply with this request in any manner, please let me know by contacting me at the above telephone number or email address.

Sincerely,



Paul W. Roop, II

PWR/ml

SENDER COMPLETE THIS SECTION

5-24-cv-00097 Document 1-1 Filed 02/29/24 Page 3 of 6 PageID #: 100

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Betsy Jividen, Comm. Div.
Corrections
Bldg 84 - 1409 Greenbrier St.
Charleston, WV 25311



9590 9402 6351 0296 6875 11

2. Article Number (Transfer from service label)

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C. Date of Delivery

24 MAR 2024

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1. Article Addressed to:

Atty Gen. Patrick Morrissey
 State Capital Complex
 Bldg 1, Rm E-26
 1900 Kanawha Blvd E.
 Charleston, WV 25305



9590 9402 6351 0296 6854 18

2. Article Number (Transfer from service label)

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[Handwritten Signature]

☐ Agent

☐ Addressee

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